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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE: OPTICAL DISK DRIVE ANTITRUST
LITIGATION

Case No. 10-md-2143-RS (JCS)

MDL No. 2143

This Document Relates to:
All Indirect Purchaser Actions

REPLY IN SUPPORT OF OBJECTING
CLASS MEMBER SHIYANG HUANG'S
MOTION FOR OBJECTOR AWARD RE
DISTRIBUTION PLAN

Hearing Date: TBD

Hearing Time: TBD

Dept: Courtroom 3, 17th Floor

Judge: Hon. Richard Seeborg, Chief Judge

1 **REPLY BRIEF IN SUPPORT OF MOTION FOR OBJECTOR AWARD**

2 Hagens Berman spent just one page on the merits, but chiefly attacked Huang’s character,
 3 plus accusing Huang as an unethical extortionist. *See* Opp. 2-7 (calling Huang, *e.g.*, a “serial
 4 objector”); Dkt. 3083 at 7 n.4 (consensus use of “serial objectors” to name extortionists). To fuel
 5 their hyperbole, Hagens Berman even invoked women’s rights, despite Huang *supported* a
 6 female junior lawyer to argue as opposing counsel this Monday morning, before her *pro hac vice*
 7 application was granted (in *Hesse v. Godiva Chocolatiers*, No. 19-cv-972 (S.D.N.Y), where
 8 Huang’s objection was closely mirrored by a bipartisan coalition of 6 State Attorneys General).

9 Huang’s basis for objector award came from (1) exposing Hagens Berman’s *improper*
 10 attempt to charge extra costs with neither motion nor notice; (2) peeling the onion that Hagens
 11 Berman failed to explain their “whooping 31%” extra costs request from class members’ fund,
 12 but only could explain 7.1% of the extra after this Court’s order demanding details in Dkt. 3080,
 13 and (3) presenting the argument that Hagens Berman still has not clarified whether they quietly
 14 charged innocent class members costs from post-remand February 2021 re-notice (of their fault).

15 But according to Hagens Berman, Huang—who mirrored quality of State Attorneys
 16 General (*supra.*), and whose *amicus* brief was circulated in an *en banc* Ninth Circuit (Order
 17 granting Huang’s motion to file *amicus* brief, *Joffe v. Google Inc.*, No. 20-15616 (9th Cir. Jan.
 18 19, 2022)), **deserves nothing** after he singlely brought scrutiny to Hagens Berman’s improper
 19 \$1.5 million grab from Class fund, before the firm admitted to “should have” first asked for court
 20 approval for. Hagens Berman’s opposition should thus be rejected for a lack of causation.

21 As Huang stated in his motion, Huang needs not to be awarded a full \$100,000 award.
 22 But critically, the most compelling reasons to award Huang a substantial objector award is (a) to
 23 deter Hagens Berman from such improper “non-motions” in the future as a supposedly Class
 24

fiduciary, and (b) Hagens Berman’s own \$25,000 settlement deal with a “zero impact” objector sets a benchmark for Huang’s work that *did* safeguard Class’s \$1.25 million money. Mot. 8-9.

The rest of Hagens Berman’s opposition was full of *ad hominem*. *United States v. Griffin*, 84 F.3d 912, 927 (7th Cir. 1996) (“If the law is against you, argue the facts; if the facts are against you, argue the law; and if they both are against you, pound the table and attack your opponent.”) Quoting their words, their ink “challenging [Huang’s] conduct in various litigations adds irrelevant burden to the docket when the district is in a known judicial emergency.” Opp. 5 n.10. Huang rather spends time *protecting the Class*, which he did to save class members \$1.26 million (besides Huang’s selfless, continuing scrutiny of the remainder cost bills; Dkt. 3083).

CONCLUSION

For the foregoing reasons, this Court should award Objector Huang—who added *at least* \$1.25 million to class members by objecting to Hagens Berman’s Plan of Distribution—for an amount of \$100,000 (*or* another amount this Court finds reasonable). Any of such award to Huang shall be solely paid by Class Counsel, Hagens Berman.

Date: March 28, 2022

Respectfully Submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on March 28, 2022, I filed the foregoing notice via this Court’s CM/ECF system, from which participants in the case will be served.

/s/ Shiyang Huang